REMARKS

Claims 1 and 5-17 are pending in this application. Claims 2-4 have been cancelled.

I. Claim Rejections Under 35 U.S.C. 103(a)

Claims 1-3, 6-9, 11, 12, 16 and 17 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,473,322 to Carney ("Carney") in view of U.S. Patent No. 5,950,140 to Smith ("Smith"). Applicant respectfully traverses.

The invention recited in independent Claim 1 of the present application is directed to a remote sensing unit which includes a sensor for measuring various aspects of the environment in proximity to the sensing unit. The remote sensing unit further includes a signal processor for processing measurements from the sensor, a two-way telemetry function, for sending data to and receiving data from a host terminal, and a tamper detection system for determining when the remote sensing unit has been opened. The remote sensing unit further includes a controller which stores results from the signal processor and controls power available to selected devices associated with the remote sensing unit to minimize power used by the remote sensing unit. The control is additionally capable of processing data from the host terminal.

The invention recited in independent Claim 16 of the present application is directed to a remote sensing method. The method controls power available to selected components of a remote sensing unit to minimize power utilized by the remote sensing unit. At least one aspect of the environment in proximity is measured by the remote sensing unit. The measured aspect is processed and stored as data and is transmitted to a host terminal.

Carney is directed to a device for detecting tampering of a utility meter which includes sensors to detect a positional displacement of the meter and loss of power to the meter. On sensing a positional displacement of the meter a timer is activated to enable sensing a power loss to the meter. In response to detection of a power loss during the time period defined by the timer, an indication is stored in a nonvolatile memory of the tamper event. In response to loss of power with or without detection of tampering, parameters including utility consumption data are

stored in nonvolatile memory. Data in the nonvolatile memory may be remotely accessed over telephone lines, power lines, or a radio frequency circuit.

With respect to both Claims 1 and 16, Carney does not teach a sensor for measuring various aspects of the environment in proximity to a sensing unit. Rather, Carney discloses sensors which measure power supplied through the sensing unit and which detect changes in the physical orientation of the sensing unit (see Carney column 4 lines 40-47.) Such measurements relate to conditions within the meter, not to aspects of the environment in proximity to the sensing unit.

With respect to Claim 1, Carney does not expressly teach a two-way telemetry function for sending data to and receiving data from a host terminal. Rather, Carney discloses a device which provides remote access to the device and its control circuitry (see Carney, column 7 lines 53-65.) While Carney implies that data may be retrieved from the device (see Carney, column 7 lines 61-65), there is no mention or suggestion *whatsoever* that data is sent to the device. Furthermore, Carney does not teach tamper detection system for determining the remote sensing unit has been opened. Rather, Carney discloses a sensor which detects movement or changes in the orientation of the device (see Carney, column 4 lines 46-48).

The invention disclosed in Smith, which is directed to a method and apparatus for monitoring a land mass, does nothing to remedy the deficiencies of Carney cited above with respect to Claims 1, 16 and their dependent claims.

Claims 10 and 13-15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Carney in view of Smith, and in further view of U.S. Patent No. 6,072,396 to Gaukel ("Gaukel"). Applicant respectfully traverses.

Claims 10 and 13-15 depend on Claim 1. As has been argued above, Claim 1 is distinguishable over Carney in view of Smith. The invention disclosed in Gaukel which is directed to an apparatus and method of monitoring mobile objects or persons utilizing the GPS satellites and cellular telephone communications does nothing to remedy the deficiencies of Carney and Smith with respect to Claim 1.

It is well established that, in order to show obviousness, all limitations must be taught by the prior art. In Re Royka, 180 U.S.P.Q. 580, 490 F.2d 981 (CCPA 1974); MPEP § 2143.03. It is error to ignore specific limitations distinguishing over the references. In Re Boe, 184 U.S.P.Q. 38, 505 F.2d 1297 (CCPA 1974); In Re Saether, 181 U.S.P.Q. 36, 492 F.2d 849 (CCPA 1974); In Re Glass, 176 U.S.P.Q. 489, 472 F.2d 1388 (CCPA 1973). As argued above, independent Claims 1 and 16 contain limitations not taught or suggested by the cited references. Therefore Applicant respectfully requests that the rejections of Claims 1 and 16 and their dependant claims under 35 U.S.C. 103(a) be withdrawn.

II. Conclusion

Having responded to all objections and rejections set forth in the outstanding Office Action, it is submitted that Claims 1 and 5-17 are in condition for allowance and Notice to that effect is respectfully solicited. In the event that the Examiner is of the opinion that a brief telephone or personal interview will facilitate allowance of one or more of the above claims, the Examiner is courteously requested to contact applicant's undersigned representative.

The Commissioner is authorized to charge any additional fees associated with this filing, or credit any overpayment, to Deposit Account No. 50-0653. If an extension of time is required, this should be considered a petition therefor.

Respectfully submitted,

/Richard E. Kurtz/Reg. #33,936

Richard E. Kurtz, II
Reg. No. 33,936
Attorney for Applicant

GREENBERG TRAURIG
1750 Tyson's Boulevard
Suite 1200
McLean, VA 22102
(703) 749-1330
E-mail: kurtzr@gtlaw.com

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